

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YVETTE FELARCA, ET AL.,

Plaintiffs,

v.

ROBERT J. BIRGENEAU, ET AL.,

Defendants.

Case No. 11-cv-05719-YGR

**ORDER TO SHOW CAUSE RE: SANCTIONS
FOR FAILURE TO COMPLY WITH
DEADLINES**

Dkt. No. 450

PLAINTIFFS AND THEIR COUNSEL ARE HEREBY ORDERED TO SHOW CAUSE why the Court should not impose a monetary sanction of no less than **\$200.00** and/or strike all pages over 25 in their brief filed July 30, 2015 (Dkt. No. 458, filed as a correction of Dkt. No. 452) for failure to comply with Civil Local Rules 7-4(b) and 7-11. Those rules require that requests to submit overlength briefs to be filed in advance of the due date. Here, the due date for the briefing was extended numerous times over the course of more than a month. Plaintiffs ultimately failed to meet the extended deadline, not submitting a brief until July 27, 2015. Moreover, Plaintiffs thereafter filed a “corrected” version of their brief, making substantive changes as well as adding a table of contents and authorities, on July 30, 2015. (Dkt. No. 458.) At no time did Plaintiffs seek permission to file an overlength brief as required by the rules.


Plaintiffs’ failure to comply with the rules regarding overlength briefing is only the most recent example of their now lengthy history of disregard for this Court’s orders and Local Rules. *See, e.g.*, Dkt. No. 451 (order to show cause re: sanctions for late filing); Dkt. No. 344 (order noting that, despite two extensions of the deadline for amending pleadings, Plaintiffs filed a Third Amended Complaint past the Court-ordered deadline and without first seeking leave of court or

1 complying with Court's order to file motion for leave to amend or stipulation); Dkt. No. 430
2 (denying request for extension of time to file reply brief, filed six days after due date without a
3 basis for good cause or proposed reply brief). Plaintiffs were warned that continued flagrant
4 disregard for the Court's rules and orders would no longer be tolerated.

5 Plaintiffs shall file a written response to the Order to Show Cause **no later than 9:00 a.m.**
6 **on Friday, August 14, 2015.** The Court will notify Plaintiffs by separate notice if any hearing is
7 required.

8 **IT IS SO ORDERED.**

9 Dated: August 11, 2015

10 
11 **YVONNE GONZALEZ ROGERS**
12 **UNITED STATES DISTRICT COURT**

United States District Court
Northern District of California